BY J. L. PENNINGTON & CO.

THE DAILY PROGRESS.

VOL. V. RALEIGH, THURSDAY, AUG. 18, 1864. NO. 1[illegible]

RATES OF SUBSCRIPTION.

The following are the only terms of subscription to The Progress:

Daily paper, 6 months .... [illegible]
" " 3 months .... [illegible]
" " 1 month .... [illegible]
Weekly paper, 6 months .... [illegible]
" " 3 months .... [illegible]

Always in advance and paper stopped when the time paid for expires.

JOB PRINTING.

There being connected with the Progress establishment a Job Office equal to any in the City or State, we are prepared to do all kinds of BOOK and JOB PRINTING. Orders solicited and promptly attended to.

TELEGRAPHIC NEWS.

[ENTERED ACCORDING TO ACT OF CONGRESS BY THE PRESS ASSOCIATION.]

From Petersburg.

Petersburg, Aug. 16.—An official dispatch received last night [illegible] that the enemy made a determined attack on our line between Deep Bottom and the Charles City road, and drove [illegible] through them, but was finally repulsed and our original position re-occupied. A later dispatch says the enemy did not renew the attack on our lines after dark. Yesterday his force, on the [illegible], after advancing to within 3 miles of White's Tavern, was driven back across White Oak Swamp. Our loss is small. The "Examiner" of this morning says the enemy made several large [illegible] [illegible]. The slaughter of negroes exceeded that of the springs at Petersburg on the 30th of July. The enemy's loss is reported very heavy. The Confederate General Chambliss was killed.

[SECOND DISPATCH.]

Richmond, Aug. 17.—Acting Brig. Gen. Girardy, commanding Wright's Brigade, was shot through the head and killed in the [illegible] of yesterday. His body was brought here and will be sent to Georgia for interment.

From Georgia.

Atlanta, Aug. 16.—The party of the enemy's cavalry that passed through Decatur last evening, after reaching Cobb's Mills, returned at night, and is supposed to be only a reconnoisance. Another force, which moved simultaneously from Owl Creek Church, struck the Atlanta and West Point Railroad at [illegible], burned the depot, tore up the track in several places, and then withdrew three miles and went into camp. The force is estimated variously at from 2 to 5000. The track has been repaired but trains are not allowed to run in consequence of the proximity of the enemy. Last night and to-day it has been remarkably quiet along the lines. The enemy's artillery is remarkably quiet, which is generally attributable to the scarcity of ammunition. A few shells were thrown into the city last night. One house on Peach Tree Street was burned. [illegible]

[SECOND DISPATCH.]

Atlanta, Aug 17.—The enemy's cavalry have retired to the vicinity of Fairburn, a portion crossing the river near Campbellton. Trains are running as usual. The enemy are busily engaged fortifying the North side of the Chattahoochie, principally along the Powder and Campbellton roads. Everything quiet along the front.

The enemy opened fire on the city from another gun, supposed to be a sixty-four pounder, planted on the Marietta road. A slow fire was kept up all night, resulting in the killing of one person. The general belief is that the Atlanta road was cut at Ackworth by a portion of our cavalry on the 14th. News from that quarter auspiciously looked for.

Later from the North.

Richmond, Aug. 16.—The Baltimore correspondent of the New York "Post" says that Winter Davis has written a call for a National Convention to meet at Buffalo in September to nominate a candidate for President.

A released prisoner reports that the Tallahassee is commanded by Jno. Taylor Wood.

The New York "Post" says the McClellan meeting did not approve the views or meet the approbation of the democratic party. Neither the masses nor the democratic masses were present.

Indian troubles in the Northwest are increasing in magnitude.

There was great excitement in Constantinople last month in consequence of the suppression of a Protestant establishment by an armed force.

Richmond, August 17.—The "Herald" of the 13th renews the suggestion to Lincoln that Commissioners be sent to Richmond. It says: We have arrived at that stage of exhaustion in war when every consideration of wisdom, patriotism and humanity suggests the propriety of a magnanimous movement on the part of the administration in behalf of peace.

The "Herald" announces the price of its daily issue hereafter to be 4 cents per copy.

It was expected that Fessenden would reform financial affairs, but instead he has plunged deeper into the sea of paper money. The national finances now are more unsettled than ever. It is evident that half the papers in the country must soon stop publication.

Richmond, August 17.—The Baltimore "Gazette" of yesterday is to hand.

Burnside has been relieved of the command of the [illegible] army corps and has arrived at Baltimore. Wilcox is in temporary command of the corps.

The Federal loss in killed and wounded in the action in Mobile Bay is estimated at [illegible] men.

No particulars received from Fort Morgan.

On the 15th Sherman was within a mile of the Marion road and was fortifying his position at every step very strongly.

A Confederate force, 2,[illegible] strong, are menacing the border towns of Indiana.

Gen. Carrington has made a requisition on the government for 25,000 men.

Various captures by the Tallahassee are reported, including the ship Adriatic and Wm. Bell.

Nothing definite from the Shenandoah Valley or from Grant's army.

From Petersburg.

Petersburg, Aug. 17.—Deserters and prisoners in to-day concur in the statement that Burnside's and Warren's corps are still in our front, while Hancock's corps and perhaps other infantry are operating on the North side of James river.

Advices here at headquarters confirm the defeat of the enemy yesterday in the fight near White Tavern. Our loss not very large. The fight is supposed to have been renewed to some extent to-day, firing being heard in that direction. Official advices from the Valley Department, received yesterday, state that up to that time no general engagement had taken place.

Nothing of interest is transpiring here. Rain has been falling every day this week, and is most grateful to both man and beast.

DAILY AND WEEKLY PROGRESS.

OUR ONLY TERMS.

The following are the only terms for the *Daily* and *Weekly Progress* for the present. If the cost of labor and material continues to advance we shall make advances:

Daily paper, six months $16.00
" " Three months 8.00
" " One month 3.00
Weekly paper, three months 3.00
" " Six months 5.00

Any person sending us a club of ten or more, at one time from the same office, to the Weekly, shall have one copy gratis. No deduction for clubs to the Daily.

Our already large and rapidly increasing circulation renders the *Progress* the best advertising medium in the State. Advertisements are inserted in the Daily at the rate of $3 a square, of 8 lines, or 50 words, for every insertion, and in the Weekly for the same. Each should accompany all orders.

The Legislature.

Below we give the names of members elect to the Legislature, as far as ascertained. We shall fill up the list as fast as possible until a correct record of the new body is made. We also append the names of Sheriffs elected as far as ascertained:

SENATE.

1 Pasquotank and Perquimans—W H Bagly
2 Camden and Currituck—D McD Lindsey
3 Gates and Chowan—H L Eure
4 Hyde and Tyrrell—E L Mann
5 Northampton—J B Odom
6 Hertford—J M Wynns
7 Bertie—John Pool
8 Martin and Washington—Jesse Stubbs
9 Halifax—M L Wiggins
10 Edgecombe and Wilson—J R Powell
11 Pitt—E J Blount
12 Beaufort—E J Warren
13 Craven—Nathan A Whitford
14 Carteret and Jones—M F Arendell
15 Greene and Lenoir—J P Speight
16 New Hanover—E W Hall
17 Duplin—W A Ward
18 Onslow—J H [illegible]
19 Bladen, Brunswick and Columbus—J W Ellis
20 Cumberland and Harnett—W B Wright
21 Sampson—Wm Kirby
22 Wayne—Benjamin Aycock
23 Johnston—T D Snead
24 Wake—W D Jones
25 Nash—A J Taylor
26 Franklin—[illegible]
27 Warren—[illegible]
28 Granville—[illegible] W Lassiter
29 Person—[illegible] Winstead
30 Orange—John Berry
31 Alamance and Randolph—Giles Mebane
32 Chatham—[illegible]
33 Moore and Montgomery—Dr J M Crump
34 Richmond and Robeson—Giles Leitch
35 Anson and Union—W C Smith
36 Guilford—R P Dick
37 Caswell—Wm Long
38 Rockingham—D W Courts
39 Mecklenburg—W M Grier
40 Cabarrus and Stanly—J E McEachen
41 Rowan and Davie—W D March
42 Davidson—H Adams
43 Stokes and Forsyth—J E Matthews
44 Ashe, Surry, Watauga, Yadkin and Alleghany—J Horton.
45 Iredell, Wilkes and Alexander—A M Bogle
46 Burke, McDowell and Caldwell—S F Patterson
47 Lincoln, Gaston and Catawba—M L McCorkle
48 Rutherford, Polk and Cleveland—Dr W J T Miller
49 Buncombe, Henderson and Madison—M Patton
50 Macon, Haywood, Cherokee, Clay and Jackson—G S Bryson

HOUSE OF COMMONS.

Alamance—G F Faucett and E Y McAden
Alexander—J M Carson
Anson—A J Dargan, E R Liles
Alleghany—
Ashe—McMillan
Beaufort—R S Donnell, David Carter
Bertie—Dr P T Henry, James Bond
Bladen—J W Russ
Brunswick—D L Russell
Burke—J J Erwin
Buncombe—James Gudger and J A Brevard
Cabarrus—W S Harris
Caldwell—J M Isbell
Camden—W A Duke
Carteret—S D Pool
Caswell—Montford McGehee and S S Harrison
Catawba—W P Reinhardt
Chatham—J H Headen, W J Headen, W P Hadley
Cumberland and Harnett—J G Shepherd, John McCormick and A D McLean
Cherokee—
Chowan—L C Benbury
Clay—
Cleveland—
Columbus—Forney George
Craven—Wm Lane, T H Gaskins
Currituck—
Davie—[illegible] Johnston
Duplin—[illegible] Smith, Houston
Davidson—C F Lowe and L Hanes
Edgecombe and Wilson—David Cobb, L D Farmer
Franklin—W K Davis
Forsythe—W H Wheeler and W B Stipe
Gaston—W T Shipp
Gates—[illegible]
Guilford—D F Caldwell, A [illegible] and A S Holton
Granville—E Grissom, J S Amis, P P Peace
Greene—H H Best
Halifax—H Joyner, A H Davis
Haywood—Dr S L Love
Henderson—[illegible] Patton
Hertford—J B Vann
Hyde—Gibbs
Iredell—T A Allison and L Q Sharpe
Jackson—Enloe
Johnston—W A Smith, W G Banks
Jones—F G Simmons
Lenoir—A W Wooten
Lincoln—Ambrose Costner
Macon—J M Lyle
Madison—W H Brown
Martin—S W Outterbridge
McDowell—W F Craig
Mecklenburg—E C Grier and J L Brown
Mitchell—
Montgomery—E H Harris
Moore—Elam J Harrington
Nash—Capt G C Lewis
New Hanover—S J Person, J R Hawes
Northampton—[illegible] Stancill, W J Rogers
Orange—S F Phillips, W N Patterson
Onslow—A J Murrill
Pasquotank—W E Mann
Perquimans—J H Riddick
Person—J W Cunningham
Pitt—C Perkins, B G Albritton
Randolph—Joel Ashworth and E T Blair.
Rowan—F E Shober, W H Crawford
Richmond—S F Little,
Robeson—David Bethune and Thos J Morisey
Rockingham—Strong and A J Boyd
Rutherford—J L Carson and A R Bryan
Sampson—L R Powell, Patrick Murphy
Stanly—Harris
Stokes—W H Flynt
Surry—
Transylvania—
Tyrrell—
Union—C Austin
Wake—G H Alford, C J Rogers, D G Fowle
Wayne—M K Crawford and J H [illegible]
Warren—T J Judkins and W T Alston
Washington—L C Latham
Watauga—Wm Horton
Wilkes—A S Calloway, P T Horton
Yadkin—A C Cowles
Yancey—D M Young

SCHEDULE OF MAIL ARRANGEMENTS POST OFFICE AT RALEIGH, N. C.

Northern	mail opens daily at	7 a. m.
Eastern	" "	7 "
Fayetteville	" "	7 "
Western	" "	9 p. m.
Augusta	" "	9 "
Northern	mail closes daily at	9 a. m.
Eastern	" "	9 "
Fayetteville	" "	9 p. m.
Western	" "	9 "
Augusta	" "	9 "

Office open for delivery of mails from 7 a. m. to 7 p. m. during the week. Sundays from 8 a. m. to 9 a. m. and from 1 p. m. to 2 p. m.

☞ Any of our friends receiving important news from the army by private letter or telegrams, will confer a great favor on us by sending or leaving them at this office for our use.

☞ Job Printing.—Having an abundance of material and good workmen we are prepared to execute all orders for Job Printing with dispatch.

AUCTION AND PRIVATE SALES.

NEGROES FOR SALE!

A SUPERIOR MEAT AND PASTRY COOK, WASHER and Ironer, in the prime of life, with her four children—(a boy and two girls) the [illegible] (16 years of age) a good [illegible] [illegible], with her child, a [illegible], in her 14th year. These [illegible] are all [illegible] [illegible] [illegible] [illegible] have been [illegible]. They are offered for sale [illegible] only because their owner [illegible] [illegible] part of the State, where it would be [illegible]. To a kind purchaser, for his own use, or the entire family, a bargain and a long credit if desired, would be given, upon [illegible]. To such a purchaser, this family would, by their [illegible], in a few years be a [illegible] fortune of itself.

Inquire of the Editor of the Daily Progress.

Aug 15-[illegible]

[illegible] REELS OF WIRE AT AUCTION.

ON THURSDAY THE 25TH AUG. WE WILL SELL [illegible] Reels of Iron Wire, Nos. running from 4 to [illegible]. This will afford Telegraph Companies and others a rare opportunity to supply themselves. This Wire is new and valuable.

CREECH & LITCHFORD,
Aug [illegible] Auctioneers.

FOR SALE.

ONE OF THE MOST DESIRABLE SITUATIONS IN Greensboro, N. C.

Dwelling contains (8) eight rooms, stables, large, other out houses convenient and all in good order.

If desired, the purchaser will also include a large and valuable new Brick Store on the lot adjoining.

D. W. C. BENBOW,
Aug [illegible] Greensborough, N. C.
Conservative copy three times per week till forbid.

A FEW IMPORTANT FACTS IN REGARD TO THE "SOUTHERN HEPATIC PILLS."

1. THEY ARE PREPARED FROM THE BEST quality of Medicine by the discoverer, now an aged Minister of the Gospel, and are safe.

2. They have been known for years and tested by thousands.

3. Five hundred persons are known to have been cured by them.

4. They are not recommended by the proprietor for everything, but only for diseases which arise from disordered livers.

5. Directions and certificates accompany each box and these certificates are from well known and most respectable individuals.

6. Correspondents recommend them as good for Liver Disease, Chills and Fevers, Pneumonia, Jaundice, Dyspepsia, Bilious Fevers, Bilious Rheumatism, Worms, Flatulency, Bronchitis, &c.

7. Several gentlemen state that the use of these Pills has been to them an annual saving of from $[illegible] to $[illegible]; they are the best plantation medicine ever offered to the public.

8. Some Physicians of the highest standing prescribe them to their patients, and hundreds of boxes have been sold to regular practitioners.

9. During the last quarter 2,[illegible] boxes have been sold to Druggists, one in South Carolina, and one in North Carolina—and some time ago over [illegible],[illegible] boxes were ordered by Druggists in one town in Virginia.

☞ Price, $[illegible] a box. For $[illegible] a dozen boxes will be sent to any address. A very liberal discount to Druggists and country merchants. Cash (new currency) to accompany orders.

FOR SALE IN NORTH CAROLINA AS FOLLOWS:

Asheville, R. J. Aston.	Lincolnton, S. P. Sherrill.
Albemarle, J. M. Rivins.	Louisburg, J. Crilley.
Chapel Hill, R. B. Steadman.	Marion, Wm. Wakefield.
Charlotte, J. Nye Hutchison.	Pittsboro, J. Long.
" F. S. Carr.	Raleigh, Williams & Haywood.
Clinton, Hubbard & Hanley.	" P. F. Pescud.
Concord, J. Reid.	Rockingham, J. P. Northam.
Dallas, J. Dobson.	Salisbury, Henderson & Enniss.
Fayetteville, N. A. Stedman & Co.	Shelby, R. Frankhauser.
Greensboro, Porter & Gorrell.	Wadesboro, W. C. Bennett.
Goldsboro, Lucas & Moore.	Whiteville, [illegible] Haynes.
Halifax, J. O'Brien.	Wilmington, Walker Meares
Henderson, Wyche & Co.	" E. McLin.
Lexington, J. P. Stimson, Address	" W. H. Lippitt.

GEORGE W. DEEMS,
July 25-dtwsw3m Goldsboro', N. C.

AGENTS WANTED.

AGENTS WANTED IN EVERY COUNTY IN THE Southern Confederacy to use the sett of implements of "Carlisle's Patent for Repairing and Renovating Cotton and Woolen Cards."

We will sell County Agencies or will sell the sett of implements to some good and responsible person to use them in a county on half shares. The sett (costing $75) is all that is required for the Agent to begin with.

This is a safe and very profitable business.

Address J. H. CARLISLE & CO.,
July 29-w2m Ringwood, N. C.

ATTENTION!

BLANK WARRANTS, LAND DEEDS, MARRIAGE Licenses, County and Superior Court Writs and other Blanks for sale at the Standard Office.

—ALSO—

Job Printing promptly, neatly and accurately executed.

March 18-d&wtf

OLD AXES—BRING IN YOUR OLD AXES.

WE HAVE THIS DAY SECURED THE SERvices of JOE HILL, and having an abundance of material, are prepared to up-set and draw out old axes.

SHAY, WILLIAMSON & CO.,
North State Iron and Brass Works,
Aug 11-1m* Raleigh, N. C.

ESTRAYED,

FROM THIS PLACE ABOUT TWO WEEKS AGO, three COWS—one large white and red spotted Cow, with Horns; one black Cow, with horns and had a Bell on; one no horned Heifer, white and red spotted, well grown. A liberal reward will be given for the detention of them where I can get them. Any information concerning them will be very thankfully received.

Address me at University Station.

O. S. CAUSEY,
July 18 d6t Alpha Woolen Mills.

SCOTCH SNUFF.

80 BOXES SOUTHERN STARR SNUFF, WARranted equal if not superior to any brand of Snuff in the market, for sale low to close consignment.

CREECH & LITCHFORD,
Auction and Commission Merchants.
Aug 13-eod6t*

NOTICE.

TAKEN UP ON THE 10TH DAY OF JUNE, A. D., 1864, by MATHEW MEDLIN of Wake county, living ten miles East of Raleigh, near Eagle Rock P. O., a certain stray MULE of a black color with a white mouth, supposed to be two years old. Said Mule is a Mare, and her left fore knee is larger than the other, and somewhat knock-kneed, and when walking frequently hits her knees together. Said Mule is appraised at eighty dollars, and by the said Mathew Medlin, entered upon my Stray Book.

D. A. WICKER, Ranger,
Aug 15-d6t

☞ Business Notice.—The expenses attending the publication of the Progress are enormous and have to be paid promptly, and we must do a cash business or none at all. We must demand cash from all save those business men of the city who have accounts with the office, and parties at a distance are expected to remit promptly when bills are sent. We have no time to collect bills and don't want to make any charges. There never was a better time to pay debts than the present, and all who owe us are requested and expected to pay at once.

☞ How to Send us Money.—Never send by mail when you can send by Express. All money sent by Express at our expense. Those sending us money by mail must do so at their own risk.

Dr. Deems' Appointments.

The Financial Agent of the North Carolina Orphans Endowment Fund will, if Providence permit, address the people as follows:

[illegible]
" [illegible]
" [illegible] Moore Court.
" [illegible] Union Church.
" [illegible]
" [illegible] Montgomery Court.

At the Churches he expects to preach and at the other appointments deliver an address on the wants of the country. He will be thankful to the friends of this Orphan Fund if they will make arrangements to have him sent forward from place to place.

Headquarters Army Northern Va., General Orders, [illegible] 1864.

BRIG. GEN. RUFUS BARRINGER, COMMANDING Brigade of Cavalry, Army Northern Virginia, is hereby authorized to take possession of all cavalry arms, equipments and accoutrements in the hands of citizens or other unauthorized persons in the State of North Carolina, when he is satisfied that such arms, &c., are rightfully the property of the Confederate States. Such arms, &c., dropped by our troops in the enemy on their line of march, or on battle fields, or lost or sold by officers or privates to persons not in the military service, are the property of the Confederate States. No person in the military service has a right to sell or otherwise dispose of arms, &c., except when under the orders and regulations of the Ordnance Department.

Gen. Barringer will not delegate this authority to any one except commissioned officers of his own command, who will be furnished with a copy of this order, signed, with instructions to furnish receipts therefor from whom arms, &c., are taken under its provisions.

By command of Gen. R. E. Lee.
(Signed) BRISCO G. BALDWIN,
Lieut. Colonel and Chief Ordnance Officer, A. N. V.

Under this authority I desire especially to gather up McClellan saddles. These saddles were captured from the enemy. There can be no private property in them. Partisan Rangers and others have no right to sell them except to the government, which pays good prices for the captures.

This brigade is much in need of good saddles. Many of those we have are ruining the horses' backs. The men are losing largely and the service suffering severely by these saddles being withheld from it, often surrendered by soldiers. I appeal to all patriots to come forward and voluntarily give them up to the officers and men of this brigade in their respective localities, who will receipt for them. Those now at home, and especially all on horse details, are required to gather up these saddles, also Sharp's rifles, Colt's repeaters, and other cavalry arms and equipments, the property of the Confederate States, and bring them back into the service. All reasonable expenses incurred in this way will be repaid them.

I claim no right at present either to seize or impress these arms and equipments; but I confidently appeal to every honest man, not in the field, to give them up. They ought to be ashamed, in a time like this, to be seen with them.

RUFUS BARRINGER,
Aug 6-d3w3w&wlt Brig. Gen.

Headquarters, Barringer's Brigade, August 12, 1864.

General Orders, No. 22.

TOO MANY MEMBERS OF THIS BRIGADE HAVE been long absent on various pretexts. Conscript officers and others must be urged to have these parties arrested. No indulgence should be shown stragglers and cowards while true and brave men are always at their posts. Officers absent without leave for 30 days must be promptly reported, to be dropped from the rolls. Enlisted men so absent must be advertised and treated as deserters. Those on sick leaves and furloughs must send forward in due time, the certificates of proper Boards—failing to do so, they must be reported as absent without leave. Those permanently disabled must apply for discharge, retirement or detail on light duty; and every facility must be extended them to get their papers through, and to secure them (when qualified) suitable places. No pardon can be promised deserters. But it is believed that many have been misled by the unfortunate teachings of others. In such cases (no special aggravation appearing) they may be saved by a prompt return to duty. If arrested, they cannot but expect the death penalty so recently inflicted on two of their comrades in this Brigade.

By Command of Brig. Gen. R. BARRINGER,
JAMES L. GAINES,
Aug 15-4t* Acting Adg't Gen'l.

WOOL NOTICE.

QUARTERMASTER'S DEPARTMENT,
Raleigh, June 9, 1864.

I AM NOW PREPARED TO EXCHANGE COTTON Yarn, for Wool, upon the following terms, viz:

One bunch of Yarn for three pounds washed Wool, and one bunch for four pounds unwashed.

Agents have been appointed to make the exchange at the following places: Oxford, Tarboro', Kinston, Catherine Lake, Concord Richingham, Hendersonville, Statesville, Roxboro', Asheville, Pittsboro', Louisburg, Fayetteville, Colerain, and at this place.

Persons shipping wool to this place will please mark on the package who they are from and the cotton yarn will be forwarded immediately.

I hope the people will patriotically respond to the above notice, as the Wool is for clothing the N. C. Troops.

H. A. DOWD, A. Q. M., N. C. A.
July 2-d&wtf

NOTICE!

ALL PERSONS INDEBTED TO THE UNDERsigned will please come forward and settle at once. Those failing to comply with the above will find their accounts in the hands of an officer for collection.

Aug 9-md&lm E. R. HARRIS.

COOK AND WASHER WANTED.

FOR A GOOD WOMAN THAT CAN COOK, WASH and iron for a family, the advertiser will give FORTY DOLLARS a month for the balance of the year.

Apply at PROGRESS OFFICE.
Aug 9-tf

PRINTING!

THE "DAILY PROGRESS OFFICE,"

Having a good assortment of Material, an extensive variety of type and one of the finest

POWER PRESSES

In the Confederacy, is prepared to turn out all kinds of

Job Printing

In the best style of the art and at prices as reasonable as can be afforded in these times.

We promise that all work entrusted to us shall be promptly, neatly and expeditiously executed. Orders solicited.

J. L. PENNINGTON & CO.
Raleigh, June 18, 1864.

NEW AUCTION & COMMISSION STORE.

W. H. & R. S. TUCKER & W. R. ANDREWS have this day associated themselves together under the name and style of TUCKER, ANDREWS & CO., for the purpose of conducting a general Auction and Commission business.

All business entrusted to them will meet with promptness and dispatch. TUCKER, ANDREWS & CO.
June 22-tf

SHOES! SHOES!

I AM MANUFACTURING A SUPERIOR ARTICLE of Ladies French Calf Balmoral Boots.
" " " Congress Gaiters.
Gents " " "
" Pegged Calf and Kip Ties.
Orders solicited and promptly filled.

GEO. ALLEN,
July 22-dltaw10w* Greensboro, N. C.

SURGERY FOR FIELD AND HOSPITAL.

I AM NOW PREPARED TO SUPPLY MY WORK on Surgery to subscribers and others who may wish to purchase it.

On the receipt of $5,00, the book will be sent by mail postage paid. EDWARD WARREN, M. D.,
Aug 21-tf Raleigh, N. C.

☞ Twenty cents for Rags.—Twenty cents a pound will be paid for all clean Cotton an Linen rags delivered at the Progress office.

[illegible] RATES OF ADVERTISING.

[illegible] advertisements inserted in the Daily and Weekly Progress:

ONE SQUARE [illegible] OR LESS

One day	[illegible]	One month	$18 00
Two days	[illegible]	Two months	36 00
Three days	[illegible]	Three months	54 00
Four days	[illegible]	Six months	72 00
Five days	[illegible]	One year	144 00

[illegible] square, and [illegible] advertisements [illegible] will be [illegible]. When sent by letter, the money must accompany the advertisement. Marriages, deaths, religious and other notices charged as advertisements and must be paid in advance.

[illegible] ALMANAC FOR 1864.

	S	M	T	W	T	F	S		S	M	T	W	T	F	S
JAN.						1	2	JULY.						1	2
	3	4	5	6	7	8	9		3	4	5	6	7	8	9
	10	11	12	13	14	15	16		10	11	12	13	14	15	16
	17	18	19	20	21	22	23		17	18	19	20	21	22	23
	24	25	26	27	28	29	30		24	25	26	27	28	29	30
	31								31						
FEB.		1	2	3	4	5	6	AUG.		1	2	3	4	5	6
	7	8	9	10	11	12	13		7	8	9	10	11	12	13
	14	15	16	17	18	19	20		14	15	16	17	18	19	20
	21	22	23	24	25	26	27		21	22	23	24	25	26	27
	28	29							28	29	30	31			
MAR.			1	2	3	4	5	SEPT.					1	2	3
	6	7	8	9	10	11	12		4	5	6	7	8	9	10
	13	14	15	16	17	18	19		11	12	13	14	15	16	17
	20	21	22	23	24	25	26		18	19	20	21	22	23	24
	27	28	29	30	31				25	26	27	28	29	30	
APR.						1	2	OCT.							1
	3	4	5	6	7	8	9		2	3	4	5	6	7	8
	10	11	12	13	14	15	16		9	10	11	12	13	14	15
	17	18	19	20	21	22	23		16	17	18	19	20	21	22
	24	25	26	27	28	29	30		23	24	25	26	27	28	29
									30	31					
MAY.	1	2	3	4	5	6	7	NOV.			1	2	3	4	5
	8	9	10	11	12	13	14		6	7	8	9	10	11	12
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	22	23	24	25	26	27	28		20	21	22	23	24	25	26
	29	30	31						27	28	29	30			
JUNE.				1	2	3	4	DEC.					1	2	3
	5	6	7	8	9	10	11		4	5	6	7	8	9	10
	12	13	14	15	16	17	18		11	12	13	14	15	16	17
	19	20	21	22	23	24	25		18	19	20	21	22	23	24
	26	27	28	29	30				25	26	27	28	29	30	31

GOVERNMENT OF NORTH CAROLINA.

His Excellency, Zebulon B Vance, Buncombe, Governor.
Col David A Barnes, Northampton, Aid.
[illegible]
Richard H Battle, Jr, Anson, Private Secretary.
Dr Edward Warren, Chowan, Surgeon General.
John P H Russ, Wake, Secretary of State.
Jonathan Worth, Randolph, Public Treasurer.
[illegible] Comptroller.
Samuel F Phillips, Orange, Auditor.
Oliver H Perry, Wake, State Librarian.
Major General R C Gatlin, Lenoir, Adjutant General.
Major William B Gulick, Beaufort, Paymaster.
Major John Devereux, Wake, Quartermaster.
Major Thomas D Hogg, Wake, Commissary and Ordnance Officer.
Major James Sloan, Guilford, Quartermaster.
Major Henry A Dowd, Edgecombe, do
Major [illegible]
Major William A. Graham, Jr., Ass't Adjt. General.
Lieut [illegible], Washington county, Ordnance Department.
Lieut. John E. Neathery, Wake, Asst. Adjt. General.
Lieut. Thomas White, Franklin, Asst. Quartermaster.

JUDICIAL.

Supreme Court.—Richmond M Pearson, Yadkin, Chief Justice; William H Battle, Orange, and Matthias E Manly, of Craven, Judges; Sion H Rogers, Wake, Attorney General; Hamilton C Jones, Rowan, Reporter; Edmund B Freeman, Clerk. [Meets in the city of Raleigh second Monday in June each year. The Morganton term has been discontinued.]

Superior Courts.—Judges—Edwin G Reade, Person; Romulus M Saunders, Wake; Robert R Heath, Chowan; Robert S French, Robeson; James W Osborne, Mecklenburg; George Howard, Wilson; Robert B Gilliam, Granville; William M Shipp, Henderson.

Solicitors.—1st Circuit, John J Yeates, Hertford; 2nd Circuit, Charles C Clark, Craven; 3rd Circuit, Sion H Rogers, Wake, Attorney General; 4th Circuit, Thomas Settle, Rockingham; 5th Circuit, Ralph Buxton, Cumberland; 6th Circuit, Robert F Armfield, Yadkin; 7th Circuit, William P Bynum; 8th Circuit, Augustus S Merrimon, Buncombe.

Confederate States District Court.—Hon Asa Biggs, Martin, Judge; George V Strong, Wayne, Attorney; W N Wescott, Craven, Clerk; Wesley Jones, Wake, Marshal.

Council of State.—F B Satterthwaite, Pitt; Robert P Dick, Guilford; Dr James Calloway, Wilkes; L Eldridge, Johnston; J R Hargrave, Anson; Jesse R Stubbs, Martin; James A Patton, Buncombe.

Board Internal Improvements.—His Excellency Governor Vance, President ex officio, Wm Eaton, Jr, of Warren and J R Flanner, of New Hanover. Richard H Battle, Jr, Secretary.

Commissioners of Sinking Fund.—Hon Thomas Ruffin, Alamance, Hon Weldon N Edwards, Warren, and Hon David L Swain, Orange.

Literary Board.—His Excellency Gov. Vance, President ex officio, Rev William E Pell, Wake, and Professor Richard Sterling, Guilford; Dr. Wm. Sloan, of Gaston; Richard H Battle, Jr, Secretary.

The University of North Carolina is at Chapel Hill.—Hon David L Swain, President.

Rev Calvin H Wiley is Superintendent of the Common Schools of the State.

Wiley J Palmer, A. M., is Principal of the N C Institution for the Deaf and Dumb and Blind, at Raleigh.

Dr Edward C Fisher is Superintendent of Asylum for [illegible]

GOVERNMENT OF THE CONFEDERATE STATES.

Jefferson Davis, of Mississippi, President, salary $25,000.

Alexander H. Stephens, of Georgia, Vice President, salary $6,000.

Aids to the President.—Col Wm M Browne, of Ga., Col James Chesnut, of S C, Col Wm P Johnston, of Ky., Col Joseph C Ives, of Miss, Col G W C Lee, of Va, Col John T Wood.

Private Secretary to President.—Burton N Harrison, of Miss.

Department of State.—Judah P Benjamin, of La, Secretary of State. L Q Washington, Chief Clerk. The office of Assistant Secretary is vacant.

Department of Justice.—Attorney General, Geo Davis of North Carolina. Wade Keyes, of Ala, Assistant Attorney General. Rufus R Rhodes, of Miss, Commissioner of Patents. G E W Nelson, of Ga., Superintendent of Public Printing. Wm Smith, of Va, Public Printer.

Treasury Department.—C G Memminger, of S C, Secretary of the Treasury. Robert Tyler, Register. E C Elmore, Treasurer. J M Strother, of Va, Chief Clerk. Lewis Cruger, of S C, Comptroller. B Baker, of Florida, 1st Auditor. W H S Taylor, of La, 2d Auditor.

War Department.—James A Seddon, of Va, Secretary of War. Judge John A Campbell, of Ala, Assistant Secretary of War. R G H Kean, Chief Bureau of War. Gen S Cooper, Adjutant and Inspector General. Lieut Col John Withers, Lieut Col H L Clay, Major Ed A Palfrey, Major Chas H Lee, Major S W Melton and Captain Reilly, Assistant Adjutants and Inspectors General. Brig Gen A R Lawton, of Ga, Quartermaster General. Col L B Northrop, of S C, Commissary General. Col J Gorgas, Chief of Ordnance. S P Moore, M D, Surgeon General. C H Smith, M D, Assistant Surgeon.

Navy Department.—S R Mallory, of Florida, Secretary of the Navy. E M Tidball, Chief Clerk. Com John M Brooke, Chief of Ordnance. Com A B Fairfax, Inspector of Ordnance. Com J K Mitchell, in charge of Orders and Detail. Surgeon W A W Spotswood, Chief of Medicine and Surgery. Paymaster J DeBree, Chief of Clothing and Provisions.

Postoffice Department.—John H Reagan, of Texas, Postmaster General. H St George Offutt, of Va, Chief of Contract Bureau. B N Clements, of Tenn, Chief of Appointment Bureau. John L Harrell, of Ala, Chief Finance Bureau. B Fuller, of N C, Clerk.

CITY OF RALEIGH.

Mayor—Wm. H. Harrison.

COMMISSIONERS.

Western Ward—W. H. Tucker, Alex. Creech and [illegible] Overby.

Middle Ward—W. R. Richardson, Augustus L. Longee and S. W. Scott.

Eastern Ward—Dr. W. H. McKee, J. J. Overby and N. S. Harp.

J. J. Christopher is Clerk to the Board and City Tax Collector.

W. R. Richardson is City Treasurer.

Town Constables—J. J. Betts, Chief; [illegible] Assistant.

K. P. Battle, City Attorney.

J L Pennington, City Printer.

F. G. King, Weigh Master.

NIGHT WATCH.

Captain—C. H. Horton.

Watchmen—E. A. Johnston, Wm. [illegible], [illegible] Parker, H. C. Luter, C. A. Driver and Wm. Overby.

The last Wednesday night of each month is the time fixed for the regular meetings of the Board.

DAI[illegible]RESS.

[illegible]

[illegible] 25, 1864.

[illegible]

"The right of the people to be secure in their persons, houses, [illegible]"

"No freeman shall be taken, imprisoned or [illegible] but by the law of the land."—[illegible]

Another Slaughter of Negro Soldiers.

The telegraph brings us an account of a considerable engagement on the north side of the James, on Thursday, in which the slaughter of negro soldiers is said to have exceeded that of the 30th of July, at Petersburg. The enemy attacked our lines with [illegible] numbers, and succeeded in occupying our works at one point; but our reinforcements drove them thence with terrible slaughter, and at last accounts occupied their former lines. We lost many valuable officers and men, among them Gens. Chambliss and Girardy, but the loss of the enemy was much greater than ours. The details of the battle have not been received, but such particulars as we have will be found in the telegraphic columns.

Correction.—Our information in regard to the pay of the Special Court and [illegible] made in Thursday's [illegible]. A member of the Special Court informed us that the pay of Jurors and Witnesses is [illegible] a day. There was no [illegible] in the Special Court, our only object being to [illegible] and convey information to the public of the business being transacted by the Court. The motion to advance the pay of the members of the Special Court was made by the County Attorney and agreed to by the magistrates assembled for County purposes, the Special Court not acting. We do not think that the pay of the Special Court or Jurors and Witnesses is at all extravagant, as gentlemen should not be expected to come here and attend to public business for nothing, and find themselves.

The War in Virginia.

There is no change in affairs in front of Petersburg. Troops have been moved to the North side of the James and some new move may be in contemplation. The *Enquirer* of Monday says:

The quiet which has reigned in this city for some weeks was broken yesterday by reports of heavy firing heard about six o'clock in the evening. The firing continued at intervals for about an hour, and later in the day a rumor reached the city that a brisk engagement had taken place on the New Market road, in the vicinity of Malvern Hill. Up to a late hour last night no official information in regard to the affair had been received at the War Department, and we are therefore unable to give any statement in regard to the result or the forces engaged. The enemy were erecting heavy works at Deep Bottom during yesterday and Saturday.

Of operations in the Valley the Lynchburg *Republican* of Sunday says:

Affairs are becoming interesting in the Valley and it is believed that an engagement is imminent between the forces of Sheridan and Early. The two armies had a heavy skirmish Wednesday, but no general battle has been fought that we could hear of.

It was reported last night that the Yankees had again occupied Winchester, and it is said had burned the town in pretended retaliation for the burning of Chambersburg by McCausland. The first of these reports we ascertained after diligent inquiry to be correct, but the latter could be traced to no reliable source, though it is by no means improbable, such is the hellish character of the foe we are fighting.

A Strike.—The employees of the Tenn. and Va. Railroad, in the machine shops at Lynchburg, "struck" for higher wages recently, and on the refusal of the company to comply they all reported at the conscript offices. They were receiving eleven dollars a day and demanded an advance of fifty per cent. The matter was finally compromised and the men returned to their work.

Two "sports" who recently left Richmond and made their way to Norfolk where they hoped to enjoy immunity from conscription and a more enlarged freedom, were put to sweeping the streets with ball and chain attached. They no doubt think they have a "bad run."

A Norfolk paper gives notice that a seminary, where negro pupils are to be boarded and instructed in the common branches, is soon to be opened near that city.

Worth Knowing.—We state for the benefit of all concerned that the Depositary in this city is paying interest on coupon bonds and also upon 2 per cent. day notes.

There are about eleven hundred Yankee prisoners in Lynchburg, six hundred of whom are sick and wounded.

Ice cream is sold in Lynchburg at one dollar the spoonful.

The heat at Washington City and further North has been intense.

The Southern Express Company.—The following compliment to the Southern Express Company [illegible] interruption of the railway lines and postal communication of the country. I do not know what the government, the army and the people of Virginia would have done this summer, when the railways were cut, but for the Southern Express Company. This company not only surmounts difficulties at which the agents of the government stand appalled, but it actually keeps up some [illegible] in spite of the sword of the public enemy and the torch of bridge burners. It carries papers from one newspaper office to another when the post-office has ceased to operate; it conveys valuable packages when all other means of transport have ceased; it [illegible] packages of food and clothing to the soldier in preference over all other freight; it has entered into an arrangement by which it is required to convey all [illegible] belonging to the government to any part of the Confederacy, and for the safety of which the company is responsible. The government has not lost a [illegible] of the many hundreds of millions of dollars entrusted to its custody. Indeed, the Southern Express Company is a public benefactor. It is [illegible] of incalculable advantage to the people. Its agents and employees are really agents and employees of the government, and are rendering more important service to the government where they are, than they possibly could if they were in the field.

Religious Feeling in the Army.—Speaking of the religious feeling existing in the army of Northern Virginia, a correspondent of the *Enquirer* says:

It gives me great pleasure to speak of the almost unparalleled interest manifested by Johnson's old Brigade, on the subject of religion.—A series of religious meetings have been going on since the Brigade arrived at their present camp, near Petersburg, on the 9th of July.—During the progress of these meetings, there have been [illegible] seventy conversions; of this number, sixty-nine have joined the church and enlisted under the [illegible] banner of Jesus Christ. The Pentecostal days of old seem to have been revived in our midst, and it is truly a refreshing sight to see the brave veterans of many a hard-fought field, bow their heads in meek reverence [illegible] around the cross of Christ, there to receive that great reward in store for all that truly seek Him. Too much praise cannot be awarded our noble Chaplains who have striven so zealously in the good work; day and night have they faithfully labored, and great has been their reward. It was our privilege to look upon a sight last Sabbath rarely witnessed by christian eyes; here in this beautiful camp ground, while all nature seemed glad, and Heaven looked on in smiling approbation, about two hundred professing christian soldiers gathered around a rude altar under a green bower, to partake of the mystical emblems of the Lord's Supper. Oh! how joyful, how holy, how calm and sweet the scene!

God grant the good work may go on, here, and everywhere in our army, until the soldiers of Southern independence shall become true disciples of the cross, and the time be hastened when the "Lion shall lie down with the Lamb," and "Peace on earth and good will towards men" be the joyful anthem sung by men, and caught up on high by angel choirs around the throne of God!

A Good Work.—General Bragg, in his visit to the Southwest, took one step which will ever deserve the praise of all. We allude to the fact that he inaugurated the policy of sending to the front the thousands of detailed men, post-[illegible], contractors, purchasing agents, and other parties who have long been filling easy, safe and remunerative positions. The number of these was legion, and thousands of them have been driven from their bomb-proofs and sent to the front.

At last accounts the General was in Augusta. We hope he will also make a visit to Savannah, where he will find abundant work of the same sort to perform.—*Savannah Republican.*

Yes, and if Gen. Bragg will visit this part of the moral vineyard and examine the bomb-proofs that abound in this State he will be able to add several regiments of able-bodied men to the forces in the field. Nothing probably has caused so much dissatisfaction among the people as the favoritism exhibited by subordinate officials in keeping young, hardy men in places that could as well be filled by disabled soldiers, or farmers unfit for duty in the field.

North Carolinians at Fort Delaware.—Dr. Woolfolk, of Virginia, who has just been released from Fort Delaware and arrived by truce boat, furnishes the following list of the names of persons from this State now confined at that place:

Capt. R. W. Atkinson, 2d N. C. Cav.; Lieut. John Blain, 16th N. C.; Adjt. R. D. Blackwell, 66th N. C. Cav.; Lt. J. W. Brothers, 61st N. C.; Lt. J. H. Bledsworth, 4th N. C. Cav.; Lt. J. C. Clements, 21st N. C.; Lt. Frank Williams, 10th N. C.; Adjt —— Sneed, 12th N. C.; Adjt J. T. Gregory, 12th N. C.; Capt —— Kitchen, 12th N. C.; Lt. —— Tommy, 12th N. C., Johnson's Island; Lt. Col. E. L. Cox, 60th N. C.; Lt. H. Y. Gash, 6th N. C.

Many of our most wealthy, intelligent and lovely young ladies have gone into the manufacturing business, and some of them, we are told, have made it quite profitable. Hat, cap and bonnet factories have sprung up in every direction, and almost every man you meet wears an elegant new hat presented to him by one of these home manufacturing establishments. Our girls have become really industrious; they make beautiful cloth out of raw material, and then make it up into clothing for the soldiers; they make beautiful hats for their fathers, brothers, sweethearts and themselves; they make beautiful palmetto fans; some of them make their own shoes; and when the war is over they will make the very best of wives.—*Brandon Republican.*

OPINION OF JUDGE PEARSON.

[illegible]

In [illegible] Russell, [illegible] N. C. [illegible] "from the service," which [illegible] by Gen. Whiting, "so far as to deprive him of his commission," and the General granted him the privilege of selecting another company, if he desired to do so, and gave him leave of absence for thirty days. In March, 1864, Russell was [illegible] Justices of [illegible] Governor certified that he was a county officer [illegible] a writ of habeas corpus [illegible] to exemption.

[illegible]

[illegible] Governor;) or a Justice of the peace, constable or county commissioner?

[illegible] vice, both by force of the [illegible] and the certificate of the Governor in pursuance thereto.

The authority of the government to conscript is derived from the power conferred on Congress to raise and support armies; [illegible] Judges or other officers necessary for the administration of the State government; for as the Confederate government is a creature of the States, it is absurd to suppose that the intention was to make a grant of power which would enable the creature to destroy its creator, [illegible]

[illegible] exempt "members of Congress, and of the [illegible] Legislatures and such other [illegible] officers as the President or the Governors of the respective States may certify to be necessary for the proper administration of the Confederate and State governments as the case may be."

The province of deciding what officers are necessary for the proper administration of the State government belongs to the Legislature. That body has deemed it necessary to provide for the appointment and election of county commissioners, (act of [illegible],) and in compliance therewith the Governor has certified [illegible] act of Congress, that this officer is necessary.

Will it be said the States must procure their Governors, members of the Legislature, Judges and other necessary officers from among the citizens who are over the age of conscription, [illegible] On what ground is [illegible] based? There is no such provision in the Constitution, or in the act of Congress, or in the act of the Legislature; and there is nothing from which it can be implied; on the contrary the implication is directly against it, [illegible] Nothing [illegible] to have such effect. The practice in such cases, and the legislation of Congress, whereby it is provided that a military officer may resign, when elected or appointed to a civil office in a State, confirm this conclusion, and leave no room to question the position that a private, although in the ranks, whenever he is elected or appointed, and is qualified and inducted into an office under the State and the Governor certifies, in pursuance to the act of Congress, becomes by the force and effect thereof exempted.

The second ground taken in the return is not tenable. The court or Judge in a proceeding of this nature is not at liberty to go behind the record of the qualification and appointment of a party. The validity of his appointment, on the ground that Russell is under the age of 21 years, cannot be impeached in this collateral way. It can only be done by a quo warranto or other proceeding in which the matter can be put directly at issue, and the office be adjudged forfeited or vacated.

The writ of habeas corpus is used in cases like the present as a civil remedy for the purpose of testing the liability of the petitioner to conscription [illegible]. For the reasons given by me in Cain's case I am of opinion that the act of Congress suspending the writ of habeas corpus does not apply to this case. Since the decision in Cain's case I was gratified to find that my conclusion is supported by the opinion of Chief Justice Marshall in the case of Bollman and Swartwout. He says that the clause of the constitution which authorises the suspension of the writ applies only to the writ of habeas corpus ad subjiciendum, "the great writ of right," sued out by a person who stands committed for some criminal or supposed criminal offence, and does not embrace the inferior kinds of the writ, such as habeas corpus ad testificandum and the like. I will also refer to the very full and able argument filed by Mr. Moore in this case.

I am of opinion that the return of W. H. C. Whiting is insufficient, and does not show that the petitioner is liable to military service. My conclusion is that he is entitled to exemption, and should be discharged, the facts set out in the return to the contrary notwithstanding.

R. M. PEARSON, C. J.

Richmond Hill, July 2[illegible], 1864.

ARGUMENT OF B. F. MOORE.

I propose to show: 1. That the clause of the constitution declaring that the privilege of the writ of habeas corpus shall not be suspended, unless, when in cases of rebellion or invasion, the public safety may require it, allows of such suspension only in cases of criminal or supposed criminal matters—And

2. That the power to suspend the privilege of the writ carries with it no power other than simply to deny the benefit of the writ and subject the party to imprisonment as its only attendant consequence, and to maintain both of these propositions by the uniform practice and understanding both in England and America.

1. The clause (art. 1, s. 9, cl. 3) vesting Congress with the power to suspend the privilege of the writ is the same in words as that in the Constitution of the United States and must therefore have the same interpretation. The Constitution of the United States was adopted in 1788; the judiciary act was passed in September, 1789—within the year after the adoption of the Constitution; and, by sec. 14, provides that the Federal Courts shall have power to issue writs of scire facias, habeas corpus, and all other writs necessary for the exercise of their respective jurisdictions: Provided, that writs of habeas corpus shall in no case extend to prisoners in jail, [illegible] where they are in custody under or by color of the authority of the United States, [or are committed for trial before some Court of the same, or are necessary to be brought into court to testify.] The judiciary act of the Confederate States, of March, 1861, sec. 16, is substantially the same; the only change being in the omission of the quoted words contained in brackets. This omission, however, effects no change in the scope or interpretation of the two sections. As there is no restriction in the statute as to the kind of writs of habeas corpus which may be issued, either by the adjunct of the term privilege as in the Constitution, or otherwise, it follows that the number and kind of such writs which they issue can be limited only by the necessities arising in the exercise of their jurisdictions. Hence it is clear that the courts may issue a writ to bring up a witness, though that power, specially granted by the judiciary act of 1789, is omitted in that of March, 1861. And it is equally clear that the Federal Courts had authority to issue the writ of habeas corpus ad respondendum—ad satisfaciendum—ad faciendum et recipiendum, and all other kinds which might be necessary to the exercise of their jurisdictions.

The power to clothe the courts and judges with the authority to issue any kind of the writ is clearly derivable from Art. 3, (United States and Confederate Constitutions) which confers judicial power. If it had been pos-

[illegible]

[illegible] tion of justice. But it cannot be reasonably supposed, that the framers of the Federal Constitution intended to allow Congress to suspend [illegible] ad testificandum [illegible] because no [illegible] could have imagined any conditions of public danger which could possibly require the law-abiding [illegible] the use of that emphatic language which is peculiar to [illegible] used to deliver prisoners from custody. It is admitted therefore, that only such writs may be suspended as carry with them a personal privilege; and, doubtless the language "the privilege of the writ" was aptly selected to include such only as claimed such privilege; and from the formation of the constitution it has been conceded that the only writ meant is that of ad subjiciendum. By some, however, within a short time past, it is insisted, that all the [illegible] writ are embraced by the clause giving the power of suspension; because, say they, there is no [illegible] of the class of such writs. But do the words "the privilege" embrace all the privileges under the writ, and subject them all to suspension? [illegible] the occasion—rebellion or invasion—[illegible] the suspension [illegible]? For why, it may be asked, should [illegible] suffer confinement [illegible] who does not aid, assist nor sympathize with the rebels or invaders? But suppose the power of suspension had not been thus qualified by the [illegible], and the clause had [illegible] of *habeas corpus* [illegible] be suspended, let us inquire what cases were understood to be peculiarly embraced under that writ [illegible] the adoption of the constitution in 1787. [illegible] that, while the jurisdiction [illegible] of the courts, to examine all cases of illegal detention of the person, as well in civil as criminal matters, was conceded, the writ of *habeas corpus ad subjiciendum* was declared to be that which issues in *criminal cases.* Thus in Bac. Abr. Hab. Corp. A. under the head of "the nature and several kinds of the writ, it is said—"The habeas corpus ad subjiciendum is that which issues in criminal cases," on the same page, and in a note to the definition of the writ ad faciendum et recipiendum, it is said, of this writ [illegible] not singly a matter of crime to be removed, for that belongs to the habeas corpus ad subjiciendum." This is laid down in 2 Hale Pl. Cr. [illegible] who adds "the writ of habeas corpus ad subjiciendum is for matters only of crime."

In accordance with this view it was held by high authorities, and for a considerable time, that the habeas corpus ad subjiciendum could not by the common law issue out of the Courts of Exchequer or Common Pleas, unless it were in the case of privilege, because these courts are confined to civil causes merely, "and, therefore, unless the party was a suitor, or otherwise had a privilege, in these courts, "they could not grant a writ of habeas corpus ad subjiciendum, though they might grant any other writ of habeas corpus." In process of time, however, the common Pleas took jurisdiction to issue that writ, notwithstanding it was confined to criminal cases. Bac. Abr. Hab. Corp. 131. Chitty on crimes, (1 v. 123,) in speaking of the several writs appropriates this to "criminal cases." [illegible] 2 Pr. 356.

If the writ issue out of Chancery, the Lord Chancellor may "discharge or bail; but it must be to appear in the Court of Kings Bench, for the Chancellor hath no power to proceed in criminal cases. 2 Hal. P. C. 147. 2 Hawkins 15. Bac. Abr. H. C. B. [illegible]

It is manifest, then, that the writ ad subjiciendum at common law was treated as a writ relating to persons imprisoned upon the charge of crime. And as the oppressions complained of were on account of "criminal or supposed criminal matters," as is recited in the preamble of the statute of Charles, that act related entirely to the writ of ad subjiciendum, [illegible] of prisoners confined on such account. The cases of illegal confinement arising out of the domestic and other civil relations of life, not being occasions for temptations to royal oppression, were either so few, or otherwise so easily redressed by ordinary actions of law, or by application to the Ecclesiastical Courts, or Courts of Chancery, or by the writ de homine repligiando, that no real grievance was felt as to them.—The people of England considered themselves amply protected against unjust imprisonment, after they had transferred the keys of the jail from the King to the Judges. The American colonies springing into being about this time, had, almost from their settlement, been accustomed to enjoy the protection afforded by the Statute of Charles. Hurd 105 et seq. And so had the States after the revolution and before the adoption of the Federal Constitution. The Statute was regarded as in full force in this State for more than six years before the revolution. Rev. Stat Ch. 55. Rev. Code of 1820, Ch. 5; 8, 3—ib. p 93.

When therefore the framers of the Federal Constitution assembled for their labor, in 1777, they must have been well acquainted with the act of 31 Charles and were, doubtless, with the previous English history which related to that act. Having consummated the revolution upon the basis of protecting the rights of Englishmen in America, it was natural to expect that their constitutions would embrace the true principles of the government from which they had just separated, as far as practicable. This was done. They were aware of the security afforded by the habeas corpus acts of Charles, and they were also aware, that that act, or certain vital portions of it, had been temporarily annulled in England. But as the Federal Government could not be formed until after the adoption of the constitution, and there could be no act of Congress till after the adoption, the language, conferring the power to suspend the writ, was of necessity obliged to be different from what it would have been, had the substance of the act of Charles, or the portion of it which had been suspended in England, been incorporated in the constitution. It would not have conveyed the proper idea, if the language had been "the writ of habeas corpus shall not be suspended, unless," &c., for there were many writs of that name; and the power so expressed had embraced them all. Nor would the proper idea have been conveyed, if the language had been, "The act securing the writ of habeas corpus shall not be suspended, unless," &c; for there was no such act of the government. The best understood term that could be employed was privilege—the privilege of the writ of habeas corpus—for that was well understood. It had been the subject of too much national struggle, and defined too often in the blood of freemen to be forgotten or uncertain in meaning in the minds of those who had battled for seven years to preserve the privilege secured by the writ. It was privilege, indeed, and intended for a class—the class of the helpless, the imprisoned, whose complaints were unheeded under accusations of crime, real or supposed. The suspension or temporary annulment of the habeas corpus act had often times occurred in England:—Nine times, said Lord Mansfield, in the debate on the bill to suspend it in the rebellion of 1745. (2 Camp. Lives of the Ch. Justices of England 306.)—The suspension then enacted made the tenth. The next was in 1777, then in 1794. Now, the causes, the times, the modes and the extent of these suspensions were familiar to the framers of the constitution. The causes were conspiracies or attempts, real or supposed, to overthrow the existing government; the times were those of rebellion or invasion; the mode affected the due process of law, the act of Charles 2, and magna charta; and the extent went far beyond the simple privilege of the writ of habeas corpus.

In England the causes had been uniform, and the suspension affected only those who were regarded as criminals of the deepest dye. Every act, popularly called an act suspending the habeas corpus act, beginning in 1688 with the first year of W. & M., and running through the stormy times which began with the abandonment of the throne by James 2, and the introduction of the new line of W. & M., and ended only with the extinction of the male issue of James, embracing a period of — years and eleven acts of suspension, is of the same character. The titles are nearly the same, and those only were deprived of the benefit of the act who were conspiring, or supposed to be conspiring against the King's person and government, and charged with "treason, suspicion of treason or treasonable practices."

Every cotemporary with the formation of the constitution, who has left his opinions upon the character of the causes for which suspension was allowed by the constitution, and every statesman, every jurist, who have lived since and written on the subject, concur in the opinion, that, although the writ might issue for any person illegally confined, yet the suspension of its privilege could affect only those who were imprisoned, and imprisoned for crime. Thus, Judge Story, 3 Com. on Const. § 1315, et seq., after declaring that the writ ad subjiciendum, at common law "is applied to every case of illegal restraint whatever it may be," says, "that Statute, (31 ch. 2) has been incorporated into the jurisprudence of every State in the Union; and the right to it has been secured in most, if not in all, of the State Constitutions, by a provision similar to that existing in the Constitution of the United States." Judge Story clearly connects the privilege of the writ as secured by the Constitution, with that secured by the habeas corpus act of Charles. That act is confined to criminal or supposed criminal matters—See preamble

[illegible]

Mr. Jefferson [illegible]

The letter of Luther Martin, (Elliott's debates 376—Hurd. 126) one of the delegates from Maryland who opposed the power of suspension, in assigning the causes of opposition, assumed that the suspension could only reach cases of crime or supposed crime, for which the person charged was to be confined in prison. So fully was he of this opinion, that he calls it a power to suspend the habeas corpus act, meaning, doubtless, the act of Charles, which concerns crimes alone.

"The power," says Hurd, 128-9, "of suspending the privilege of the writ of habeas corpus, is, by the Federal Constitution, and by those of the several States, limited to those occasions in which the public safety is threatened by rebellion or invasion; and by fair construction is limited to offences endangering the public safety."

[CONCLUDED IN OUR NEXT.]

The man who carries the bundle of stems under his arm is the inventor of the famous Mississippi Cane Pipe Stem. It is a wonderful institution and with a pipe attached to one end, with tobacco and fire added, is quite a luxury. The inventor will fill orders.

The Japanese Embassy in Paris.—Several of the Paris journals tell the following story relating to the interpreter of the Japanese embassy now in Paris: Frantz Blackman was a native of Holland, but being of a roving disposition, embarked on board a vessel bound to Batavia to seek his fortune. Years passed by, and nothing being heard of him, his friends at last concluded that some accident must have befallen him, and that he was no longer living. His father remained in Holland, but being unsuccessful in business, he came to Paris. Here his resources failed him, and on writing to a friend to solicit a small loan, he received the following letter in reply: "I send you the money you ask for, and add to it the photographic portraits of the Japanese embassy. You will mark the face of one of these strangers, for he is the very image of your son." The father could not but perceive the resemblance; the features were certain the same, but the closely-shaven head and the Oriental costume greatly puzzled him. He, however, went to the court-yard of the hotel in which the embassy was staying, and was so fortunate as to arrive just as the Japanese were passing to go out. The original of the portrait he at once recognized and called, "Is that you Frantz? In a moment the son—for Frantz it really was—and the old man were locked in each others arms.—The ambassadors, who witnessed the scene, were greatly moved; and old Blackman's troubles were now at an end, as the son is wealthy and prosperous.

Confederate Taxes—Interesting to the People of Wake.

We think the *Standard* and *Progress* paid more taxes for 1863 than all the other printing offices in town, and it is natural to presume that those papers that pay the most tax have the largest circulation, and hence the best claim to the government advertising; but the Assessors do not think so, because these two papers do not belong to their party. As the following advertisement is one of much interest, however, to the people of Wake, and as we have a large circulation in the county, we give it a gratuitous showing. In other places these tax notices are put in all the papers, but not so here:

CONFEDERATE TAXES.

THE CONFEDERATE TAX ASSESSORS FOR THE County of Wake, will attend at the following times and places, for the purpose of assessing the Taxes for the year 1864: At

Raleigh, Thursday, Friday and Saturday,
1st, 2nd and 3rd September.

Banks,' Monday,	5th	"
Barney Jones,' Tuesday,	6th	"
Lashley's X Roads, Wednesday,	7th	"
Green Level, Thursday,	8th	"
Morrisville, Friday,	9th	"
Busbee's, Monday,	12th	"
Hood's, Tuesday,	13th	"
Wakefield, Wednesday,	14th	"
Rolesville, Thursday,	15th	"
Forestville, Friday	16th	"
Dunnsville, Saturday,	17th	"
Laws', Tuesday,	20th	"
Oak Grove, Wednesday,	21st	"
G. W. Thompson's, Thursday,	22nd	"

The tax payers of the county are hereby notified to attend at the times and places above stated, nearest their respective residences, and furnish to the Assessors a correct list of the following subjects of taxation, on hand, held and owned on the 17th of February, 1864:

Land, number of acres, and value in 1860. Slaves, number, sex, age and value in 1860. Horses, mules, asses and jennets, and value in 1860. Cattle, number and value in 1860. Sheep, goats and hogs, and value in 1860. Cotton, wool, tobacco, corn, wheat, oats, rye, buckwheat, rice, potatoes, of all kinds, peas, ground peas, beans, flour, meal, sugar, molasses, bacon, lard, spirituous liquors, &c., on hand on the 17th of February, 1864, and not necessary for family consumption for the year 1864.—The number of Bushels and their value respectively, must be stated separately.

Household and kitchen furniture, agricultural implements, mechanical tools, and musical instruments, and their value in 1860. Carriages, carts, wagons, drays, &c., and value in 1860. Books, [illegible], paintings, pictures, stationery, &c., and value in 1860. Property of all corporations, joint stock companies and associations, gold and silver coin, gold dust, and gold or silver bullion. Amount of all solvent credits, bank bills, and all other papers issued as currency, (exclusive of non-interest bearing Confederate Treasury Notes, and employed in a taxed business.) Value of all moneys held abroad, and bills of exchange on foreign countries; and the value of personal or mixed property not enumerated above, and not exempt from taxation. Land, slaves, cotton or tobacco purchased since the 1st of January, 1862, must be listed at the amount paid for them. The bacon will also be listed.

M. A. BLEDSOE, } Assessors.
R. M. JONES. }

Aug 17-1m